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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 049212-0103 .

Applicants: Bruce BENT et al.

Title: MONEY FUND BANKING SYSTEM WITH MULTIPLE
BANKS AND/OR RATES

Appl. No.: 09/677,535

Filing Date: 10/02/2000

Examiner: Daniel S. Felten

Art Unit: 3696

Confirmation 4334
Number:

Refund Ref: 0030070348
05/21/2009

Credit Card Refund total: \$130.00

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**RENEWED PETITION TO WITHDRAW FROM ISSUE AFTER PAYMENT OF
ISSUE FEE UNDER 37 C.F.R. §1.313**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a RENEWED Petition to Withdraw from issue the above-identified application after the issue fee has been paid. An earlier Petition to Withdraw had been dismissed on April 13, 2009. Based on a telephone call from the Office of Petitions, this Petition is being renewed along with a Request for Continued Examination, and IDS, and an Amendment.

The fee payment authorization under 37 C.F.R. 1.17(h) is enclosed.

Applicants hereby petition to withdraw the above-identified application from issue under 37 C.F.R. 1.313(c)(2), in order to file a Request for Continued Examination in order to submit an Information Disclosure Statement and an amendment of the claims.

Applicants identify defects as follows:

Adjustment date: 05/21/2009 CKHLOK
04/08/2009 DEMMANU1 00000151 09677535
01 FC:1464 -130.00 OP

05/19/2009 SSANDARA 00000001 190741 09667535

01 FC:1464 130.00 DA

a need to amend the claims to add performance of the claimed method steps by one or more computers, in view of the recent *In re Bilski* decision from the Federal Circuit Court of Appeals, issued after the payment of the issue fee, to conform the claims with claim amendments proposed at an interview with the examiner on February 5, 2009;

a need to remove any ambiguity that the FDIC-insured and interest-bearing deposit accounts are aggregated, to thereby conform the claims with claim amendments proposed at an interview with the examiner on February 5, 2009; and

to submit for consideration additional prior art identified by a third party in another co-pending application after the payment of the issue fee for the above-identified application, as well as to submit for consideration prior art identified by other examiners in co-pending applications of applicants, as well as to resubmit for consideration prior art filed in an IDS on September 3, 2008, in its entirety. This September 3, 2008 IDS was filed with a certification under 37 CFR 1.97 (e)(2), which was believed to be correct at the time of the filing. We believe that a certification that applicants were not aware of these specific documents continues to be correct. However, applicants informed us that some information in the specific documents was known to applicants more than 3 months before disclosure of those particular documents in the September 3, 2009 IDS, making the certification arguably incorrect. To the extent that any information about the subject matter in these documents was known to applicants, applicants would like to resubmit these documents in an IDS with the RCE filing.

Applicants request that this Petition be granted.

The Commissioner is hereby authorized to charge any deficiency or credit any over-payment to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

May 14, 2009

Date

FOLEY & LARDNER LLP

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William T. Ellis

Attorney for Applicant

Registration No. 26,874

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND												
1 Date of Request: <u>05/20/09</u>		2 Serial/Patent # <u>09/677,535</u>										
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
	Filing			\$								
	Amendment			\$								
	Extension of Time			\$								
	Notice of Appeal/Appeal			\$								
X	Petition	PETWDISS	05/14/09	\$ 130.00								
	Issue			\$								
	Cert of Correction/Terminal Disc.			\$								
	Maintenance			\$								
	Assignment			\$								
	Other			\$								
			7 TOTAL AMOUNT OF REFUND		\$ 130.00							
			8 TO BE REFUNDED BY:									
10 REASON:			Treasury Check									
	Overpayment	X Credit Deposit A/C #:										
X	Duplicate Payment	9 <table border="1" style="display: inline-table; text-align: center; width: 150px;"> <tr> <td style="width: 20px;">1</td> <td style="width: 20px;">9</td> <td style="width: 20px;">--</td> <td style="width: 20px;">0</td> <td style="width: 20px;">7</td> <td style="width: 20px;">4</td> <td style="width: 20px;">1</td> </tr> </table>				1	9	--	0	7	4	1
1	9	--	0	7	4	1						
	No Fee Due (Explanation):											
11 REFUND REQUESTED BY:												
TYPED/PRINTED NAME: <u>April M. Wise</u>		TITLE: <u>Petitions Examiner</u>										
SIGNATURE: <u>/APRILMWISE/</u>		PHONE: <u>571-272-1642</u>										
OFFICE: <u>Office of Petitions</u>												
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****												
APPROVED: <u>CKhlok</u>		DATE: <u>5/21/09</u>										

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: